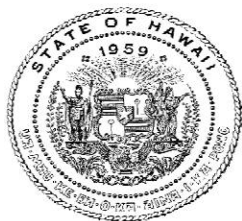


State of Hawai`i

**GUIDELINES**  
**FOR**  
**REPORTING AND REMITTING**  
**UNCLAIMED PROPERTY**



State of Hawai'i

**"Holders of unclaimed property are usually companies, businesses, corporations, partnerships, professional associations, non-profit organizations, private organizations, government entities or state agencies in possession of unclaimed property as defined in 523A, HRS. Holders are required to annually report and escheat unclaimed property to the State of Hawai'i Unclaimed Property Program."**

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## References

- **Unclaimed Property Statutes**  
[http://www.capitol.hawaii.gov/hrscurrent/Vol12\\_Ch0501-0588/HRS0523A/HRS\\_0523A-.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol12_Ch0501-0588/HRS0523A/HRS_0523A-.htm)
- **NAUPA Standard Electronic File Format**  
<http://www.wagers.net/NaupaSpec/NaupaRevisedStandard.pdf>
- **Holder Request for Reimbursement Form**  
<http://www.nast.org/NAUPA/Holder%20Reimbursement%20Final%2010-17-05.pdf>

### **Unclaimed Property Program**

No. 1 Capitol District Building  
 250 S. Hotel Street, Room 304

(808) 586-1589

\* Chapter 523A of HRS addresses the unclaimed property law. Holders are encouraged to review the statutes and its affects to the holder reporting process.\*

- Reference Unclaimed Property Statutes (HRS)

[http://www.capitol.hawaii.gov/hrscurrent/Vol12\\_Ch0501-0588/HRS0523A/HRS\\_0523A-.htm](http://www.capitol.hawaii.gov/hrscurrent/Vol12_Ch0501-0588/HRS0523A/HRS_0523A-.htm)

## Unclaimed Property Law Changes

### CHAPTER 523A [NEW] [UNCLAIMED PROPERTY]

#### Part I. Uniform Unclaimed Property Act

##### Section

523A-1 Short title

523A-2 Definitions

**523A-3 Presumptions of abandonment**

~~523A-3.5 Gift certificates and gift cards~~

523A-4 Contents of safe deposit box or other safekeeping depository

523A-5 Rules of taking custody

523A-6 Dormancy charge

523A-7 Burden of proof as to property evidenced by record of check or draft

**523A-8 Report of abandoned property**

**523A-9 Payment or delivery of abandoned property**

**523A-10 Notice and publication of lists of abandoned property**

~~523A-11 Custody by State; recovery by holder; defense of holder~~

523A-12 Crediting of dividends, interest, and increments to owner's account

523A-13 Public sale of abandoned property

523A-14 Claim of another state to recover property

523A-15 Filing claim with administrator; handling of claims by administrator

523A-16 Action to establish claim

523A-17 Election to take payment or delivery

523A-18 Destruction or disposition of property having no substantial commercial value; immunity from liability

523A-19 Periods of limitation

523A-20 Requests for reports and examination of records

523A-21 Retention of records

523A-22 Enforcement

523A-23 Interstate agreements and cooperation; joint and reciprocal actions with other states

523A-24 Interest and penalties

523A-25 Agreement to locate property

523A-26 Deposit of funds

523A-27 Foreign transactions

523A-28 Transitional provisions

523A-29 Rules

523A-30 Uniformity of application and construction

\* for viewing purposes only



Refer to HRS for complete document(s)

*\* Unclaimed property is any financial asset, usually intangible, being held for a person or entity that cannot be located. The unclaimed property law requires holders to report and escheat annually. The following information is provided to assist holders with reporting and remitting unclaimed property.\**

The process of reporting and remitting unclaimed property to the State of Hawai'i, Unclaimed Property Program is a cycle. A cycle begins six months prior to the November 1 report deadline, holders send written notice to the apparent owner of unclaimed property informing the owner of the intent to escheat the abandoned property to the State. Holders submit a report prior to the Nov 1 deadline, then a list of names and last known addresses of the owners is published by the State. Following the publication, prior to May 1, holders submit an updated report along with remittance of unclaimed property. May 1 is the beginning of the next cycle.

**DATES  
TO  
REMEMBER**



## Holder Reporting Cycle

**MAY 1 \* Begin Due Diligence**

**NOV 1** Report Due  
Submission of an electronic file

**MAR 1** Legal Notice published by the State of Hawai'i

**MAY 1** Updated Report Due  
Remittance Due

**\* Begin Due Diligence for the next reporting period**

Remittance payable to: **Director of Finance, State of Hawai'i**

## Reporting Guidelines

- | Reporting Guidelines |  |
|----------------------|--|
| <b>STEP 1</b>        | <p>✓ <b>Determine if you are a "holder" of unclaimed property</b></p> <p>Holders are businesses, organizations, and any other entities in possession of unclaimed property. The most common types of unclaimed property are: savings and checking accounts, checks, warrants, wages, commissions, insurance proceeds, stocks, securities, refunds, or safe deposit box contents.</p>   |
| <b>STEP 2</b>        | <p>✓ <b>Determine if the property has been inactive or dormant long enough to be reported as unclaimed property</b></p> <p>The type of property reported will determine how long the property must remain abandoned to be considered unclaimed property. Dormancy periods range from one year to fifteen years.</p>  |
| <b>STEP 3</b>        | <p>✓ <b>Try to locate the owners</b></p> <p>Hawai'i law requires holders to make a diligent effort to locate owners of property. Efforts must include a written notice, informing the owner that the holder will escheat the property to the State of Hawai'i.</p>   |
| <b>STEP 4</b>        | <p>✓ <b>File a Report by November 1</b></p> <p>Holders must report property determined to be unclaimed for owners with a last known address in Hawai'i. If the owner's address is unknown, the property is reported to the state where the holder is incorporated. Owner information includes: name, last known address, social security number or taxpayer identification number.</p> |
| <b>STEP 5</b>        | <p>✓ <b>Remit the amount due May 1</b></p> <p>Following the report in November, holders must file a final report and escheat all unclaimed property. Remittance payable to: <b>Director of Finance, State of Hawai'i</b>.</p>  |



*\* It is the responsibility of all businesses and organizations to maintain records and report all unclaimed property to the State of Hawai'i. Submission of accurate and thorough owner information is required.\**

- Reference: National Association of Unclaimed Property Administrators  
NAUPA Standard Electronic File Format: <http://www.wagers.net/NaupaSpec/NaupaRevisedStandard.pdf>  
For information regarding reporting software visit: <http://www.nast.org/NAUPA/Electronicreportstandard.htm>

## **Basic Holder Reporting Requirements**

- ▶ Holder Due Diligence
- ▶ Report in NAUPA Standard Electronic File Format
- ▶ Electronic file generated and protected for mailing

### **▶ Send Reports to:**

#### **Mailing Address**

**State of Hawai'i  
Unclaimed Property Program  
P.O. Box 150  
Honolulu, HI 96810**

#### **Office Location**

**State of Hawai'i Unclaimed Property Program  
No. 1 Capitol District Building  
250 S. Hotel Street, Room 304  
Honolulu, HI 96813**

## **Reporting Considerations**

- ▶ A report includes properties abandoned July 1 of the previous year to June 30 of the report year.
- ▶ Life insurance companies report abandoned property for the previous calendar year.
- ▶ Holders of interest-bearing property are required to submit interest-bearing property in a separate file.
- ▶ Electronic files are required for holder reports. For reports less than five (5) properties, holders may submit a list of property on business letterhead. Reports must include holder contact information and complete owner information.
- ▶ Upon approval, the report deadline may be extended. Holders must request for an extension on business letterhead addressed to: Director of Finance, Georgina Kawamura prior to the November 1 deadline. Written acknowledgement approving the request will extend the report deadline to January 1.
- ▶ Holders of safekeeping items, please contact our office.
- ▶ First time holders who report abandoned property for multiple years, are required to submit separate files by year. Contact our office for details.

## **C h e c k l i s t**



## **Holder Report Submission Requirements**

- ✓ Notarized affidavit stating that written notice was sent to the apparent owners of abandoned property
- ✓ Cover sheet including Holder Contact Information
- ✓ Summary listing of property
- ✓ Electronic file: NAUPA standard file format, protected for mailing  
CD or diskette checked and verified for evidence of a file
- ✓ Remittance payable to: **Director of Finance, State of Hawai'i**

For free reporting software visit: <http://www.nast.org/NAUPA/Electronicreportstandard.htm>

## **Frequently Asked Holder Questions ???**

► **Why must unclaimed property be reported?**

The law requires reporting as part of a nationwide system to provide consumer protection and safeguarding of abandoned and unclaimed property. The Unclaimed Property Program holds abandoned or unclaimed property in a custodial capacity.

► **What is the importance of owner information?**

Complete and accurate owner information will expedite reuniting unclaimed property to its owner.

► **Why are electronic files necessary?**

Holders are required to submit electronic files to maximize the accuracy of reports. An electronic file assures that transfer of information is accurate and complete.

► **What if the owner contacts the holder after the property is reported to the State but before the property is escheated to the State?**

Holders should return the property to the owner then update the May 1 remittance report. After May 1, owners of property escheated to the State should file a claim form with the Unclaimed Property Program.

► **What if the owner contacts the holder after the property has been escheated to the State?**

Holders may return unclaimed property to the owner, then file a holder reimbursement by submitting a Holder Request for Reimbursement Form:  
<http://www.nast.org/NAUPA/Holder%20Reimbursement%20Final%2010-17-05.pdf> or refer the owner to the Unclaimed Property Program.

► **What are the benefits of compliance?**

Reporting unclaimed property is required by law. Holders who report unclaimed property annually maintain positive working relationships with their customers.

► **Who can a holder contact for information regarding holder reporting?**

Holders may contact the State Unclaimed Property Program at (808) 586-1589. Office hours: Monday - Friday, 7:45 a.m. - 4:30 p.m. HST, except weekends and State Holidays.